

Decision No. 49772**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 W. C. THOMAS, doing business as an)
 individual under the same name, to)
 sell and L. L. KIRCHHOF, an individual)
 doing business under the firm name and)
 style of SPEEDS OIL TOOL SERVICE to)
 purchase seller's operative rights as)
 a petroleum irregular route carrier.)

Application No. 35065

O P I N I O N

By Decision No. 44381, W. C. Thomas, transferor herein, was granted a certificate of public convenience and necessity authorizing him to operate as a petroleum irregular route carrier of petroleum and petroleum products in tank trucks and tank trailers between all points and places in the state. By Decision No. 48284 he was permitted to suspend operations (because of injuries suffered in an automobile accident) until March 10, 1954.

By Decision No. 49472, L. L. Kirchhof, transferee herein, was authorized to operate as a petroleum irregular route carrier between all points and places within 50 miles of Santa Maria subject to certain restrictions.

By this application authority is sought to transfer the operating rights of W. C. Thomas to L. L. Kirchhof for a consideration of \$500 cash payable upon approval by this Commission.

W. C. Thomas is retiring from this business and transferee desires to enlarge his operations. The latter is financially responsible (see financial statement filed with Application No. 34691).

L. L. Kirchhof, by his attorney, has consented in writing to the revocation of the operating rights created by Decision

No. 49472 in the event that the Commission takes favorable action upon the present application.

Having considered the matter, the Commission is of the opinion and finds that said transfer is not adverse to the public interest and should be granted. A public hearing is not necessary.

The action taken herein shall not be construed to be a finding of value of the property authorized to be transferred.

O R D E R

Application having been made, the Commission being fully advised in the premises and good cause appearing,

IT IS ORDERED:

(1) That W. C. Thomas, on or before May 31, 1954, may sell and transfer to L. L. Kirchhof the operating right hereinabove described upon the terms as set forth in the application, and L. L. Kirchhof is authorized to acquire and to continue to operate said transportation service as heretofore authorized by this Commission.

(2) That in the event the transfer is consummated, L. L. Kirchhof shall notify the Commission in writing of the fact within thirty days after the date of transfer.

(3) That applicants shall, on not less than five days' notice to the Commission and to the public, amend the tariffs on file with the Commission in so far as they name rates, rules and regulations governing the operations here involved to show that W. C. Thomas has withdrawn or canceled and that L. L. Kirchhof has concurrently adopted or established as his own said rates, rules and regulations.

(4) That the authority granted to L. L. Kirchhof by Decision No. 49472 in Application No. 34691 be, and it hereby is, revoked.

(5) That the authority herein granted shall expire unless exercised on or before May 31, 1954.

The effective date of this order shall be twenty days after the date hereof.

Dated at Los Angeles, California, this 9th day of March, 1954.

R. B. [Signature]
President
Justus J. [Signature]
Kenneth Pottel
John L. Mitchell
Gene [Signature]
Commissioners